



Nevada State Health Division Technical Bulletin



Topic: Assembly Bill 534

Section/Program/Contact: Bureau of Health Care Quality and Compliance/Patricia Chambers

Date: August 2011

TO: Health Care Providers and Public

The purpose of this bulletin is to notify all health care providers and the public of recently adopted statutes affecting licensed health care providers.

Under existing law, it is an offense to operate a residential facility for groups or a home for individual residential care without a license. Any unlicensed operator is liable for a civil penalty to be recovered by the Attorney General in the name of the Health Division and is required to move, at the operator's expense, the residents of the unlicensed facility or home to a licensed facility or home. Existing law sets the civil penalty for the first offense at not more than \$10,000 and for a second or subsequent offense, at not less than \$10,000 or more than \$20,000. Furthermore, an unlicensed operator is prohibited from applying for licensure for six months.

On May 29, 2011 Governor Brian Sandoval signed into law Assembly Bill 534 (AB 534). AB 534 transfers the authority to impose civil penalties from the Attorney General to the Health Division and increases the civil penalties for operating an unlicensed facility or home to \$10,000 for a first offense, \$25,000 for a second offense and \$50,000 for a third offense. In addition, AB 534 increases the periods in which the unlicensed operator may apply for a license from six months for the first offense, 1 year for the second offense and a permanent ban for a third offense.

This law becomes effective July 1, 2011 and there will be no new regulations as a result of the law.

For detailed information, please go to http://leg.state.nv.us/Session/76th2011/Bills/AB/AB534_EN.pdf

Signed:

A handwritten signature in blue ink, appearing to read "Tracey Green MD".

Tracey Green, MD, State Health Officer
Nevada State Health Division

Date: August 1, 2011

Signed:

A handwritten signature in blue ink, appearing to read "Richard Whitley".

Richard Whitley, MS, Administrator
Nevada State Health Division

Date: August 1, 2011